

PATENT
450104-3165.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

Applicants : Tetsuo OGAWA et al.
Serial No. : 09/910,102
Filed : July 20, 2001
For : RECORDING APPARATUS AND REPRODUCING APPARATUS
Art Unit : 1761

745 Fifth Avenue
New York, New York 10151
Tel. (212) 588-0800

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents
Washington, D.C. 20231, on August 20, 2001

William S. Frommer, Reg. No. 25,506

Name of Applicant, Assignee or
Registered Representative

William S. Frommer
Signature

August 20, 2001

Date of Signature

PETITION TO REQUEST A GRANT TO MAINTAIN
ORIGINALLY ACCORDED FILING DATE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a petition to request that the Filing Date of July 20, 2001 be accorded the above-referenced application. The Petition fee of \$130.00 is enclosed.

A Notice of Omitted Item(s) (copy enclosed) issued in the above-referenced application on August 6, 2001 requesting that applicant provide proof that Figures 14 and 16 were submitted with this application on July 20, 2001. A copy of the front and back of the postcard which accompanied the filing of

08/27/2001 NBERHE 00000065 09910102

130.00 DP

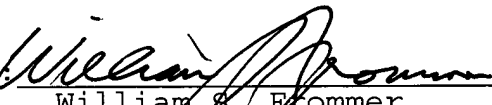
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the present application, return receipt date-stamped "7/20/01", Serial No. 09/910,102 is enclosed. As is evident by this postcard, the Office has acknowledged receipt of, among other papers, a total of nineteen (19) sheets of drawings. Figures 14 and 16 were included in these 19 sheets of drawings

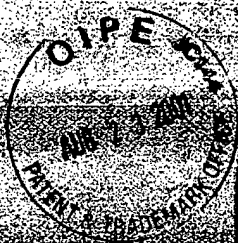
Another set of the drawings, (19 sheets, Figs. 1-19), as filed on "July 20, 2001" is enclosed. Petitioner respectfully requests that this application be accorded the filing date of July 20, 2001, as originally assigned.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: 
William S. Frommer
Registration No. 25,506
Tel. (212) 588-0800

Enclosures



Cont. of

Serial No. 08/687,360 File No. 450104-3165-1 By BFS
Title In the Matter of the Application of Ogawa et al.
The following due _____ in the U.S. Patent Office was received in the Patent Office
☐ Affidavit ☐ Declaration ☒ Express Mail Mailing Certificate
☐ Amendment ☐ (separate sheet)
☒ Preliminary Amendment ☒ Check No. 016747 for \$ 870.00
☐ Amendment After Final Rejection ☐ Deposit Account Order Form
☐ Request for Extension of Time ☒ Drawing 19 Sheet(s)
☐ Provisional Patent Application ☒ Information Disclosure Statement
☒ Application for Patent, including (COPY) ☒ PTO Form 1449, +3 References
1/2 Pages Specification 2 Claims ☐ Issue Fee Transmittal
☒ Declaration ☐ Oath ☒ Power (COPY) ☐ Brief ☐ Letter
☒ Request for Filing Continuation or Divisional ☐ Application for TM Registration
Application 2 sheets, in duplicate Including _____ Specimens
☐ File Wrapper Continuation Patent Application ☐ Status Request ☐ Notice of Appeal
_____ sheets, in duplicate ☐ Petition ☐ Response
☐ PCT Request _____ sheets, including ☐ Priority Document
☐ Transmittal Letter to the US/RO ☐ Small Entity Declaration
☐ Assignment ☐ Recordation Cover Sheet ☐

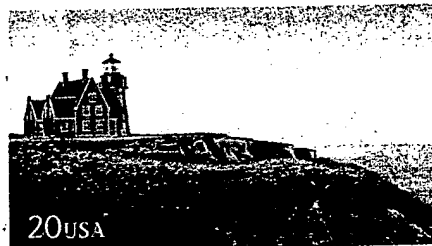
Mailed: 07/20/01 Express Mail EL 250498694 US

jc971 U.S. PTO

09/910102



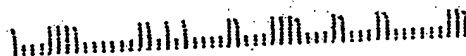
07/20/01



DOCKETED

FROMMER LAWRENCE & HAUG, LLP
745 FIFTH AVENUE
NEW YORK, NEW YORK 10151

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/910,102	07/20/2001	Tetsuo Ogawa	450104-3165.1

CONFIRMATION NO. 2770

FORMALITIES LETTER



OC000000006386108

FROMMER LAWRENCE & HAUG LLP
745 FIFTH AVENUE
NEW YORK, NY 10151

Date Mailed: 08/06/2001

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 14 & 16 described in the specification.

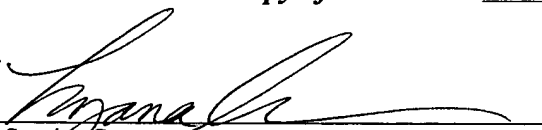
I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

A handwritten signature in cursive script, appearing to read "M. J. ...", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE